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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,904	12/04/2000	Lazaros Bountour	LBOUNT.001A	7301

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EXAMINER

SALTARELLI, DOMINIC D

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/729,904	BOUNTOUR ET AL.	
	Examiner	Art Unit	
	Dominic D. Saltarelli	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 33-57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-32, drawn to a system for multiple camera displays of content on a PC, classified in class 725, subclass 110.
  - II. Claims 33-57, drawn to a user front-end human interface system for remotely controlling a controllable entity, classified in class 725, subclass 61.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as a user interface for controlling appliances within the home. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Louis Knobbe on November 7, 2005 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-32. Affirmation of this election must be made by applicant in replying to this Office action. Claims 33-57 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Regarding claims 4 and 17, the phrase "or the like" renders the claims indefinite because the claims include elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claims unascertainable. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claim 27 is rejected under 35 U.S.C. 102(a) as being anticipated by Hendricks et al. (WO 99/12349, listed on the IDS provided February 7, 2002) [Hendricks].

Regarding claims 27, 31, and 32, Hendricks teaches an interactive entertainment system comprising:

a plurality of cameras configured to offer different camera views of an event occurring at a particular venue (figs. 4-6, page 15);

a back-end information network configured to receive camera outputs from the plurality of cameras (fig. 2), identify a consumer and associated display device (the user is accessing the camera outputs via the internet through a web server, page 33, and thus it is inherent that the back-end network identifies the

consumer and associated display device because the connection between the server and the consumer is a point to point connection as required by TCP/IP, as both the user's terminal and the web server are informed of each other's IP address), and dynamically assemble the camera outputs into a front-end version (such as shown in fig. 14) based on the consumer's preference (the user selects the video image sizes and the number of images to be displayed, page 34, third paragraph) and the display device's specifications (the display is assembled in a manner that is limited by the particular equipment the user is operating, page 34, third paragraph);

a delivery infrastructure configured to transmit the front-end version to the consumer (the network over which the audio-video outputs 116 shown in fig. 2 reach users); and

an access device (remote user's terminal, page 33, first paragraph) configured to receive the front-end version for display (as shown in figs. 14 and 17), wherein the consumer selectively (paragraph 35, referring to the "Remote Control" option) views one of the camera views on a relatively larger screen window (window 452 in fig. 14) and views the remaining camera views on a plurality of relatively smaller screen windows (window 454 in fig. 14).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2611

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Hosaka et al. (6,020,923) [Hosaka].

Regarding claims 1-26, Hendricks teaches a system for multiple camera broadcasting over the internet to a user's PC (figs. 2 and 4) comprising:

a plurality of television content providers location at different venues throughout the world (page 10, first paragraph), each content provider having multiple video cameras already installed at a particular venue in use for commercial television broadcasting (page 45, under the heading Broadcast Television and Cable Television);

an encoder (compression unit 118 shown in fig. 2, wherein the compression algorithms include MPEG encoding, page 10, second paragraph) coupled to each video camera providing output compatible with delivery over internet delivery channels (page 12, second paragraph);

a high bandwidth network coupled to said encoder and accessible over the internet (the network over which the audio-video outputs 116 shown in fig. 2 reach users, accessible from a web server 130, thus over the internet, page 10 last paragraph through page 11 first paragraph);

a streaming server coupled to said encoder (fig. 2, web site 130);

graphical user interface software stored at said streaming server (the HTML code resident on a web server that is utilized by a browser on a user's PC

to access the web server, as illustratively shown in fig. 14), and available to a user over the internet (an inherent feature, because accessing the contents of a web site is necessarily an internet communication), said interface software interactively providing a high resolution video signal to a PC display window and simultaneously lower resolution video signals for plural smaller monitor displays on the PC display (as shown in fig. 14, wherein the high resolution video signal is displayed in window 452 and the low resolution video signals are displayed in widow 454); and

a companion display provided on said PC display showing where said cameras are located (as outlined in the description of fig. 20 on page 44).

Hendricks fails to disclose a parallel lead from each such installed video camera, wherein the among the encoders, there is an encoder coupled to each parallel lead, each encoder providing both a high resolution video output and a low resolution video output.

In an analogous art, Hosaka teaches utilizing parallel leads from a video source (leads 1 and 4, shown in fig. 1) wherein an encoder is coupled to each parallel lead (encoder 2 is coupled to the low resolution lead, col. 6, lines 55-62 and frame expander 35 is connected to the high resolution lead, col. 7 line 66 – col. 8 line 7), for providing both a high resolution video output and a low resolution video output (fig. 1, output 8, col. 9, lines 5-16), providing a high efficiency coding method (col. 9, lines 23-31) for display of the data on different

terminal displays of different resolutions using the same bit stream (col. 1, lines 5-33).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks to include parallel leads, an encoder coupled to each parallel lead, each encoder providing both a high resolution video output and a low resolution video output, as taught by Hosaka, for the benefit of providing a high efficiency coding method for display of the data on different terminal displays windows of different resolutions using the same bit stream.

11. Claim29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Dedrick (5,604,542).

Regarding claim 29, Hendricks discloses the system of claim 27, and additionally discloses transmitting advertisements simultaneously with the front-end version to the consumer (advertisements 402, page 33, third paragraph), but fail to disclose matching advertisements to the consumer's profile.

In an analogous art, Dedrick teaches inserting advertisements into a video stream by matching advertisements with consumer profiles, allowing advertisers to target their ads to particular consumer demographics (col. 3 line 56 - col. 4 line 6).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks to include matching



advertisements to the consumer's profile, as taught by Dedrick, for the benefit of targeting advertisements to consumers, making the advertising more effective.

12. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks.

Regarding claim 30, Hendricks discloses the system of claim 27, but fails to disclose the event is an athletic game.

Examiner takes official notice that it is notoriously well known in the art to broadcast athletic games so that viewers at home can watch live or recorded sporting events.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks to include displaying athletic events, for the benefit of allowing viewers at home to watch live or recorded sporting events.

13. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Carpenter (6,745,245).

Regarding claim 28, Hendricks discloses the system of claim 27, and additionally discloses the back-end information network provides the number and type of camera views delivered to the consumer (pages 10 and 11, wherein the back end network is illustrated in fig. 2 and end product delivery of the camera

views is illustrated in figs. 14 and 17), but fails to disclose limiting resource access if the consumer elects not to pay for a pay-per-view event.

In an analogous art, Carpenter teaches limiting resource access to an Internet service based upon how much the user is willing to pay for said service (col. 11, lines 9-22), said service including pay-per-view events (col. 10, lines 46-47), wherein the payment of fees allows a user to access a more feature rich level of service (col. 10, lines 29-60), providing the benefit of tailoring access to Internet services in a manner much more flexible than traditional conditional access systems (col. 8, lines 30-43).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Hendricks to include limiting resource access from the back-end network based upon how much the user is willing to pay for access to said resources, said access comprising a pay-per-view event, as taught by Carpenter, for the benefit of tailoring access to the back-end network in a manner much more flexible than traditional conditional access systems. The resources being accessed by the user are the number and types of camera views provided by the back end network, and a consumer who elects not to pay for the pay-per-view event thus would receive only limited access to the number and types of camera views, wherein a consumer who paid the associated fee would be granted full, unlimited access to the number and type of camera views.

***Conclusion***

14. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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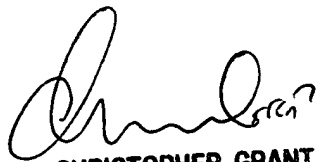
Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D. Saltarelli whose telephone number is (571) 272-7302. The examiner can normally be reached on Monday - Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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